

Good Morning,

I am testifying regarding: The House Speaker's Task Force on Domestic Violence and their bill proposal HB 5497.

I am a victim of domestic violence. The hardest label I have had to except. Less then ten years ago I was going to work in business attire. I was strong and never would have thought I would be in this position. My husband suffered from an infection in his brain shortly after our marriage. It was quite sometime till he recovered and a very different person started to surface after the birth of our child. The past two years he has abused me physically and mentally. He also has verbally abused our daughter and was neglectful. Over the summer his abuse lead to threats when divorce was mentioned. He has threatened to kill us. Even as far as saying, "I will kill you, her and then myself" (while putting his finger on our five year old daughter's forehead).

In September his rage turned to violence again and threats. I called the police. He was arrested and we now have a protective order and restraining order. He has broken both of them. Both are due to end next month. Only two days after his first arrest, DCF showed up at my door. Now some would say that was too soon and it caused undue stress. I strongly disagree. Of course the name DCF is troubling. The investigator spoke to myself and daughter and gave advice as far as counseling, domestic advocates and legal. She also did a full report and got him to admit to the abuse as well as privately speaking with my daughter who confirmed the threats. Here is where I see the problem. When we went to civil court for the formal restraining order, he had council. She filed for divorce after hearing me speak of it. I did not have council. I was a stay at home Mom and he had the financial means to seek council. As soon as the word "divorce" was entered into the abuse, it turned into a "private" matter. We have to re-prove the abuse as true and not made up. In civil court we have not had the opportunity to do so. Although we had the DCF investigation report and they ruled against him, it seemed to not matter! Confidentiality made it impossible to hand a judge those papers. I was told the only way was to go to trial and have them order the investigator to court. This drags out the court and causes more financial hardship and resentment. My lawyer through Legal Aid withdrew from our case and my parents had to hire a new attorney since we did not have the means to do so. My daughter has to go to supervised visits with her father. She suffered a big set back just days after the first visit. How is it ok to have a five year old in a room with someone she doesn't know and the man who said he was going to kill her? Now his attorney is mentioning wanting to do a parent plan that says he can have her on weekends! We have a big fight in our future. New people will be involved and my child will have to repeat everything. At this point she attaches no emotion while speaking about the abuse. I guess what I want to bring attention to is in any other situation a person would not be told to stay in a room with someone they think will kill them and certainly not go somewhere alone with them. Because he is labeled her "father" she has too. There are so many people who have witnessed his abuse to us first hand and a state run program like DCF that knows what is happening. I see the news and my real fears are played out. I live in constant fear.

What I would like to see happen is very basic. In civil matters where domestic violence and criminal charges are made known, any report such as DCF should be available to view by the judge without having to wait months for a trial. A huge problem in our case and others too is the court goes slow. The estranged spouse is not patient. They become even angrier. They then want more. They figure they can hurt through legal means. If that fails they find other means as we have witnessed in recent events. Their hired attorney of course fights for them and tells them they can request whatever and that they are right. It just fuels an already burning fire.

My reason for writing this testimony is as follows: If a state agency such as DCF does an investigation very early in a case and finds abuse that is life threatening, a civil court should admit that report into record as soon as it is available. If a parent threatens to kill their child on more than one occasion, and even admits it, they should have their rights terminated by the state. A five year old cried out to a stranger, stating she doesn't want her Daddy to send her Mommy and her to heaven. Her cry is unheard in either criminal court or civil!

I was never told I had a right to give a victim impact statement in criminal court. The criminal charges have been on the docket since September 2009 and I was never asked to give any input. I was never asked any questions. Next month they will sentence him and so far there is no testimony on my behalf or my daughter's. I was asked to sign something before this time. I was not told what it was. I later found out it was agreeing to the sentencing. I was not told I had a choice of not signing. I do not agree. They will excuse jail time and place him on probation. The condition of probation is he must follow the terms of a protective order but only in regards to me. My daughter would not be included!

I ask you to please consider this bill. It would help other women like me going through this greatly. I often feel I have no support in the courts and that I go unheard. Every step has been a complete struggle and fight that has rested on my shoulders alone. I "feel" alone and most importantly scared. I promised my daughter I would keep her safe. Recently she said I could not. She is right.

Thank you for listening to my story,

Sincerely,

A current Victim of Domestic Violence and the Legal System

Ansonia, CT – (S)